

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

DAVISON DESIGN & )  
DEVELOPMENT, INC., )  
 )  
 Plaintiff, ) No. 2:23-cv-00644-MJH  
 )  
 v. ) Honorable Marilyn J. Horan  
 )  
 MARIO SCORZA, )  
 )  
 Defendant. )

## **[PROPOSED] ORDER**

AND NOW, this \_\_\_\_\_ day of \_\_\_\_\_, 2023, upon  
consideration of Plaintiff's Motion to Vacate or Modify Arbitration Award (ECF 1)  
("Motion to Vacate"), Defendant's Motion to Confirm Arbitration Award (ECF 21)  
("Motion to Confirm"), and all submissions related thereto, it is hereby ORDERED:

1. The Motion to Vacate is GRANTED IN PART and DENIED IN PART, as follows:

a. The Award of Arbitrator dated March 27, 2023 (“Arbitration Award”) is partially vacated with respect to its award of attorneys’ fees and costs in the amount of \$199,024.05.

b. In all other respects, the Motion to Vacate, including its alternative request for partial amendment of the Arbitration Award, is DENIED as moot.

2. The Motion to Confirm is GRANTED IN PART and DENIED IN PART, as follows:

- a. The Arbitration Award is confirmed with respect to its award of damages, pre-Arbitration Award interest, and administrative fees and compensation of the Arbitrator in the total amount of \$58,618.85.
- b. The Court awards post-award, pre-judgment interest on \$58,618.85, to be calculated at the rate specified in 41 P.S. § 202 from the date of the Arbitration Award to the date of this Order.
- c. The Court awards post-judgment interest on \$58,618.85, to be calculated at the rate specified in 28 U.S.C. § 1961 from the date of this Order until the date of payment.
- d. In all other respects, the Motion to Confirm, including its request for an award of attorneys' fees and costs against Plaintiff, is DENIED.

3. The Clerk of Court is directed to CLOSE this case.

BY THE COURT:

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J.  
Marilyn J. Horan  
United States District Judge